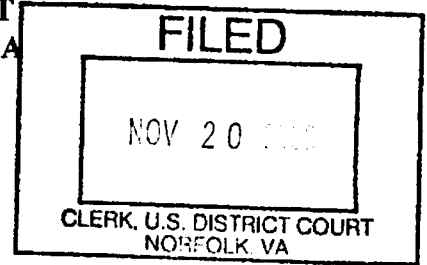


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**



**THE HIPAGE COMPANY, INC.,**

**Plaintiff,**

**v.**

**Civil Action No. 2:08cv336**

**ACCESS2GO, INC.,**

**Defendant.**

**ORDER**

Pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia, by Order of Reference filed August 28, 2008, the matter was referred to United States Magistrate Judge Tommy E. Miller for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on October 29, 2008, recommending that the defendant, Acces2Go's, motion to dismiss be granted, and that the plaintiff's complaint be dismissed for improper venue.

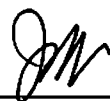
By copy of the Report and Recommendation, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge within ten (10) days from the date the Report and Recommendation was mailed. The court has received no objections from either party and the time for filing objections has expired.

The court adopts and approves in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed October 29, 2008.

Accordingly, it is hereby **ORDERED** that Acces2Go's motion to dismiss is **GRANTED** and the plaintiff's complaint is **DISMISSED** for improper venue pursuant Rule 12(b)(3) of the Federal Rules of Civil Procedure. The Clerk shall enter judgment in favor of the defendant.

The Clerk is **REQUESTED** to forward a copy of this Order to all counsel of record for the parties.

It is so **ORDERED**.

\_\_\_\_\_  
/s/   
Jerome B. Friedman  
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
November 20, 2008